

**IN THE
SUPREME COURT
OF THE UNITED STATES**

October Term, 1979

No.

79-532

MARGARET HARTE,

Petitioner,

vs.

THE COUNTY OF LOS ANGELES,

Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI
TO THE SUPERIOR COURT OF CALIFORNIA FOR
THE COUNTY OF LOS ANGELES**

BRIEF FOR RESPONDENT IN OPPOSITION

JOHN H. LARSON
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MICHAEL MODAK, JR., CLERK

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The order of the California Supreme Court, the last court before which petitioner sought to present this case, appears as Exhibit D to the Petition. It is dated February 14, 1979.

Section 2101(c) of Title 28 of the United States Code specifies that a petition for a writ of certiorari must be filed within ninety days, and that the filing period can only be extended by an additional sixty

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days. Thus, even if this Court had enlarged the time for filing the Petition in this case, the enlargement could not have extended beyond mid-July, 1979.

The filing of the petition out of time deprives this Court of the jurisdiction to entertain it. Scarborough v. Pargoud, 108 U.S. 567, 27 L.Ed. 824, 2 S.Ct. 877 (1883).

For that reason, the petition should be denied.

Respectfully submitted,

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County Counsel

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Chief, Labor Relations Division

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